

**71st Graduate Course**  
**Electives Catalog**



**Academic Year 2022-2023**

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## Elective Quarters

**3rd Quarter: 17 Jan – 10 Mar 2023**

**4th Quarter: 20 Mar – 19 May 2023**

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# **ACADEMIC DEPARTMENT (AD)**

## **INDIVIDUAL PREPARATION PROGRAM - (E\_51/52) – (1 credit) (3<sup>rd</sup> or 4<sup>th</sup> Quarter)**

This elective is designed to allow students an opportunity for individual, specialized preparation in a particular topic, usually related to their next field assignment. Students will design an individual course of study concentrated on the specific academic area as it applies to Judge Advocate practice. The course of study must produce a significant research and writing project. Students may coordinate with the gaining command, but must pursue and complete the course of study at TJAGSA and must pursue an IPP with sufficient rigor to meet ABA standards. The gaining command will not direct or control the student's effort.

Students must submit the proposed course of study to the Dean for approval. The Dean, in conjunction with the appropriate Department Chair, will assign a faculty advisor/grader for the subject. The Dean will base the approval decision upon input from the Department Chair and faculty advisor. The faculty advisor will set and enforce suspense dates. The advisor will monitor student progress toward requirements closely (including a preliminary outline, a detailed outline, a typed draft, and a final draft). All IPPs are graded.

**COORDINATOR: LTC WILLIAMS / DEP'T CHAIRS**

## **3rd Quarter Elective Offering**

### **PRINCIPLED COUNSEL IN JUDGE ADVOCATE PRACTICE (ED15) - 1 credit**

Under the Corporate Counsel model, Judge Advocates are members of the commander's personal staff and are required to be counselors, not merely legal advisors, giving complete counsel under the Rules of Professional Conduct even on matters not directly related to the law. Commanders, and the units they lead, are asked to do incredibly difficult and dangerous things on behalf of the nation. Their decisions and conduct in these situations often impact fundamental principles and values. Judge Advocates are required to provide Principled Legal Counsel to provide complete counsel and safeguard principles and values. In this elective, students will study a number of historical scenarios that raise issues of principle and/or values in Judge Advocate practice. Together, the class will analyze these situations to develop best practices for Judge Advocates to promote principled counsel in our practice and to help protect the Army by promoting principled conduct in line with service values. Students will then develop scenarios based on current operations that might call for principled counsel and apply the best practices developed to those scenarios. The course is taught in a seminar discussion format. Grades are based on class discussion and participation, a written principled counsel scenario and solution developed independently by the student, and a reflective essay.

**NOTES: ONE SECTION OFFERED.**

**PROFESSORS: MR. LESCAULT**

## **4th Quarter Elective Offering**

### **HOLISTIC WELLNESS FOR LEADERS: THE LEADER'S MIND, BODY, AND SPIRIT (ED 17) – 1 Credit**

The purpose of this elective is to provide leaders with a learning experience that educates, inspires, and equips them to enact sustained, positive changes in their personal life and the lives of those around them. It provides participants with evidence-based approaches and tools for improving wellness in five domains: emotional, social, family, physical, and spiritual. The course is designed to provide participants with a thorough understanding of the five domains, what it means to be fit in those domains, and methods to achieve fitness in each. The course intends to prepare Judge Advocates in their function as a leader in creating and sustaining a thriving workplace for their subordinates. It is heavily weighted towards practical application, both personally and professionally. The elective covers useful skills for increasing self-awareness, thinking accurately, empathy, and communicating effectively. Graduates will experience better health, improved work performance, and stronger relationships. The twofold end state is that students have the confidence and knowledge to be able to develop a personal holistic wellness plan and to create and sustain a thriving work environment for their subordinates. The course is taught in a seminar discussion format. Grades are based on class discussion and participation, a group project, and a reflective essay.

**NOTES: ONE SECTION OFFERED.**

**PROFESSORS: LTC WILLIAMS, CH (MAJ) CHITTIM, AND MAJ CLEEK**

# **PROFESSIONAL COMMUNICATIONS PROGRAM** **(PCP)**

**\*Students may usually only take one PCP elective, with the exception of Oral History. Exceptions are approved by the PCP Director.**

## **3rd and 4th Quarter Elective Offerings**

### **EXPANDED RESEARCH PAPER ELECTIVE (E\_\_44A) – 1 or 3 credits (3rd into 4th Quarters)**

**Limited enrollment by approval of the PCP Director.** In order to receive proper credit for expanded research papers, students must enroll in the appropriate elective. This elective credits students for the additional research and study time spent preparing these lengthier papers. Prospective students will be assessed to enroll in this elective based on recommendation of the paper advisor.

**NOTE: ADDITIONAL HOURS TOWARD YOUR PAPER DO SERVE AS A CREDIT FOR CONCENTRATION HOUR REQUIREMENTS.**

**COORDINATOR: MAJ STAVROPOULOS**

### **THESIS ELECTIVE (E\_\_43) – 6 credits (3rd into 4th Quarters)**

**Limited enrollment by approval of the PCP Director.** In order to receive proper credit for writing a thesis, those students who write a thesis must enroll in this elective. Prospective students will be assessed to enroll in this elective based on recommendation of the paper advisor.

**COORDINATOR: MAJ STAVROPOULOS**

### **INDEPENDENT WRITING ELECTIVE (E\_\_48\_\_) – 1-3 Credits (One or Two Quarters)**

**Limited enrollment by approval of the PCP Director.** Prospective students will be assessed to enroll in these electives based on performance on the core scholarly paper and performance on the standardized grammar and legal citations assessments.

Students will design and propose a writing project, to include paper topic, length, area of concentration, and proposed credit hours. Proposals may include writing another primer or research paper, a practice note, or a book review, among other possibilities.

Students must submit the proposed writing project to the PCP Director for approval.

The PCP Director, in conjunction with the appropriate Department Chair, will assign a faculty advisor/grader for the subject, where appropriate. The PCP Director will base the approval decision upon input from the Department Chair and faculty advisor. The PCP Director, in conjunction with the Registrar and the Associate Dean for Academics, will determine the appropriate credit hours. The faculty advisor will set and enforce suspense dates. The advisor will monitor student progress toward requirements closely.

**NOTE: THIS ELECTIVE MAY SERVE AS A CREDIT FOR CONCENTRATION HOUR REQUIREMENTS IF YOU ARE WRITING IN YOUR CONCENTRATION AREA. COORDINATE WITH THE RESPECTIVE DEPARTMENT CHAIR FOR APPROVAL.**

**PROFESSOR: MAJ STAVROPOULOS**

### **WRITING COMPOSITION AND STYLE (EA53) – 1 Credit (2<sup>nd</sup> Quarter and 3<sup>rd</sup> Quarter (if needed))**

This elective provides coaching beyond what one receives from paper advisors as students write their scholarly papers. This elective is open to all students who would like dedicated time to work on their core scholarly paper. All international students will automatically be enrolled in this elective for the 3<sup>d</sup> Quarter. Some students may be referred to attend Writing Composition and Style elective for the 3<sup>d</sup> quarter for additional instruction to successfully complete their scholarly papers. See the PCP Manual, paragraph 4-5 for additional detail.

**NOTE: THIS ELECTIVE DOES SERVE AS A CREDIT FOR CONCENTRATION HOUR REQUIREMENTS.**

**PROFESSOR: MAJ STAVROPOULOS**

### **ORAL HISTORY PROGRAM (EA47) – 2 Credits (2<sup>nd</sup>-4<sup>th</sup> Quarters)**

The oral history program provides selected students, working in teams of three, with the opportunity to interview senior judge advocates, attorneys within the Department of Defense, and others concerning their careers, legal contributions to the Corps or the Army, and their observations concerning significant events affecting the Judge Advocate General's Corps and the Armed Forces. **This is a limited elective offering. The Regimental Historian & Archivist selects the subjects of the oral histories, and no more than four oral histories are normally permitted each year.** Grades are based on the students' adherence to the requirements found in the Oral History Program Manual, maintained by the PCP Director. These requirements include adherence to several milestones related to student progress, such as completion of research and submission of an interview sequence plan. The paramount requirements are a presentation to the student body as well as the turn-in of the oral history final product, which includes a cover page, an abstract biography of the subject, an index, a background chronology, an interview sequence plan, and the transcription of the recorded interviews (transcription is contracted out). **Grades will be provided in the 4<sup>th</sup> Quarter.**

**NOTE: ENROLLMENT LIMITED TO 8 STUDENTS. THIS ELECTIVE DOES NOT COUNT TOWARD CONCENTRATIONS.**

**COORDINATORS: MR. BORCH AND MAJ STAVROPOULOS**

## **LEGAL PODCAST DEVELOPMENT AND PRODUCTION – 1 credit**

In conjunction with CLAMO and PCP, students will research, create content, and produce a new podcast episode of a TJAGLCS Podcast (*Battlefield Next*, *Fred Talks*, etc.). Students must work with CLAMO & PCP for approval of subject matter and production schedules. Students may also have the opportunity to coordinate with the Strategic Initiatives Office (SIO) for content creation. Grades will be based on the students' ability to independently research, create content, and produce a podcast that is relevant to judge advocates and the practice of law. The format for this class is an embedded practicum in FCD. There is no lecture component to this elective. **Grades will be provided in the 4th Quarter.**

**Limited enrollment by approval of the PCP Director / CLAMO.** Prospective students will be assessed to enroll in this elective based on performance on the core scholarly paper, performance in the oral history elective, or demonstrated potential with scholarly content creation.

**NOTE: ONE SECTION OFFERED, INDIVIDUAL PREPARATION REQUIRED. THIS ELECTIVE DOES NOT COUNT AS A CREDIT TOWARD A CONCENTRATION.**

**COORDINATORS: MAJ RIBELIN, CAPT. HOOD, AND MAJ STAVROPOULOS**

## **SCHOLARLY ARTICLE EDITING ELECTIVE (EA49) – 1 Credit (3rd and 4th Quarters)**

**Limited enrollment by approval of the PCP Director.** Prospective students will be assessed to enroll in this elective based on performance on the scholarly paper and performance on the standardized grammar and legal citations assessments. The elective is designed to better prepare students to serve as leaders in large legal offices by teaching students how to properly edit legal manuscripts, master the intricacies of military law citation, and how to refine complex scholarly paper drafts. Students will serve as adjunct editors of the School's professional publications and will review and edit a minimum of seventy-five pages of material for the *Military Law Review* (MLR) or *The Army Lawyer* (TAL). Depending on the page length of the article(s), students may edit one or more MLR articles or two or more TAL articles. The standard will be to complete the editorial process through publication. Students may be required to draft short legal memoranda and emails to provide substantive editorial critique to authors. With PCP Director approval, students may edit their own article, perfecting it for publication.

**NOTES: ENROLLMENT LIMITED TO 5 STUDENTS. THIS ELECTIVE DOES NOT COUNT TOWARD CONCENTRATIONS.**

**PROFESSOR: MAJ STAVROPOULOS**



# **ADMINISTRATIVE AND CIVIL LAW** **DEPARTMENT (ADA)**

## **3rd Quarter Elective Offerings**

### **ADVANCED ADMINISTRATIVE INVESTIGATIONS - (EA56A) - 1 Credit**

The importance of administrative investigations cannot be overstated. Since the attacks of 11 September 2001, the Army has completed tens of thousands of investigations. While only a small percentage of these investigations have garnered national and international attention, those that have, have had a profound impact on both our operations and reputation. The judge advocate's role in these investigations is of paramount importance, and the judge advocate's advice can often mean the difference between a good investigation and a bad one. The goal of this elective is to prepare students to give effective advice at various stages of an investigation, particularly complex and high-interest investigations. The elective will build upon the plenary investigations instruction and will go well beyond the various investigations regulations. We will examine past mistakes, best practices, and other lessons learned over the last fifteen years. Grades will be based upon class participation and two 1-3 page writing submissions.

**NOTES: TWO SECTIONS ARE OFFERED - ONE IN THE 3RD QTR AND ONE IN THE 4TH QTR.) ENROLLMENT IN EACH SECTION IS LIMITED TO 30 STUDENTS.**

**PROFESSORS: MAJ WILES, MAJ GRIFFIN, AND GUEST SPEAKERS**

### **ADVANCED MILITARY PERSONNEL LAW - (EA03) - 1 Credit**

This elective will review a wide range of administrative issues and challenges related to military personnel law that students may confront as supervisory attorneys, administrative law section managers, or action officers in a Office of the Staff Judge Advocate. Such topics include adverse administrative actions and personnel management policies. This course will take a practical approach to the study of military personnel law by primarily tapping into the experience and expertise of the students, faculty, and various guest speakers. Grades will be based upon student presentations, a written assignment consisting of one 3-5 page written submission, and class participation.

**PROFESSORS: LTC ZOLL, MAJ NUNES, AND GUEST SPEAKERS**

### **SPECIAL TOPICS IN ADVANCED CLIENT SERVICES - (EA14) - 1 Credit**

This elective will examine the application of consumer protection law and family law to the military community. Topics will include automobile fraud, automobile purchasing, identity theft, telemarketing and internet fraud, predatory lending, and debt collection. Students will also study military issues regarding marriage, separation, divorce, child custody, child support, property division, and division of retired pay. This elective is recommended for anyone who supervises or practices legal assistance (BJA, Chief of Client Services, CJA, and DSJA). Students will have short weekly reading assignments (cases and/or statutes or scholarly articles) for in-class discussion. Grades will be based on an individual presentation, one 2-3 page written submission, and class participation.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS.**

**PROFESSORS: MAJ MANGAN, MAJ RIGGS, AND GUEST SPEAKERS**

### **ADVANCED TOPICS IN GARRISON FUNDING (EK06) - 1 credit**

Description: This elective combines Administrative Law and Fiscal Law. Using a blend of assigned readings and real-world case studies, students will examine funding issues arising in the Garrison Administrative Law context. Topics will include conducting 15-6 investigations into suspected ADA violations; analyzing MILAIR requests; navigating funding gaps and continuing resolutions; use of appropriated funds in response to a pandemic crisis; and overall funding tools to support Garrison operations. The format for class will be lectures and instructor-led discussions. Grades will be based on classroom participation and a written 4-6 page paper.

**NOTE: ONE SECTION OFFERED, CLASS MEETS ONCE A WEEK FOR TWO HOURS EACH SESSION. THIS ELECTIVE DOES COUNT AS A CREDIT FOR EITHER ADMINISTRATIVE LAW OR CONTRACT & FISCAL LAW CONCENTRATIONS.**

**PROFESSORS: MAJ GODFREY AND MAJ RETLAND**

## **4th Quarter Elective Offerings**

### **ADVANCED ADMINISTRATIVE INVESTIGATIONS - (EA56B) - 1 Credit**

The importance of administrative investigations cannot be overstated. Since the attacks of 11 September 2001, the Army has completed tens of thousands of investigations. While only a small percentage of these investigations have garnered national and international attention, those that have, have had a profound impact on both our operations and reputation. The judge advocate's role in these investigations is of paramount importance, and the judge advocate's advice can often mean the difference between a good investigation and a bad one. The goal of this elective is to prepare students to give effective advice at various stages of an investigation, particularly complex and high-interest investigations. The elective will build upon the plenary

investigations instruction and will go well beyond the various investigations regulations. We will examine past mistakes, best practices, and other lessons learned over the last fifteen years. Grades will be based upon class participation and two 1-3 page writing submissions.

**NOTE: ENROLLMENT IS LIMITED TO 30 STUDENTS.**

**PROFESSORS: MAJ WILES, MAJ GRIFFIN, AND GUEST SPEAKERS**

### **SPECIAL TOPICS IN ADMINISTRATIVE AND CIVIL LAW (EA06) – 1 Credit**

This elective is designed to provide greater depth on a variety of topics that are discussed during plenary; topics that practitioners in Administrative and Civil Law will likely deal with routinely after completion of the Graduate Course. This elective will study advanced topics in Privatized Housing, AAIP, Civilian Personnel Management, Casualty Affairs, and other issues that cover multiple disciplines in administrative and civil law. Grades will be based on one 3-5 page written submission, and class participation.

**PROFESSORS: MAJ NUNES, LTC ZOLL, AND GUEST SPEAKERS**

### **ADVANCED STANDARDS OF CONDUCT (EA05) – 1 Credit**

All judge advocates who advise senior leaders must have an understanding of the rules that form the ethical foundation of our Army profession. This elective will build on the plenary instruction's common subject areas that fall under the umbrella of "standards of conduct," to include conflicts of interest, gifts, post-government employment, relations with non-federal entities, etc. In addition, this course will examine recent developments in the standards of conduct through lectures from subject matter experts. Students will also study less common areas of an ethics counselor's practice, with a focus on providing practical legal advice to the client. Grades will be based on one 3-5 page written submission, an individual presentation, and class participation.

**PROFESSOR: MAJ JACKSON, MAJ RETLAND, AND GUEST SPEAKERS**

### **SPECIAL TOPICS IN ADVANCED FEDERAL LITIGATION - (EA12) - 1 Credit**

This elective will cover federal litigation, practice, and procedure in greater detail than in plenary instruction. With an emphasis on systematic case analysis, this elective will discuss civil procedure, discovery, motions practice, substantive issues in federal litigation (including environmental law and civilian personnel law), and the role of agency counsel. Grades will be based upon class participation, one 15-20 minute presentation, and one 3-5 page written submission. This elective is highly recommended for all students pending assignment to a federal litigation position.

**PROFESSORS: MAJ GRIFFIN, MAJ ZOLL, AND GUEST SPEAKERS**

## **VETERANS BENEFITS AND MILITARY RETIREMENT PLANNING – (EA07) – 1 Credit**

This elective brings together several areas of law related to Veterans and Wounded Warriors ability to transition from the service with the benefits they earned and plan for their and their families' future financial stability. We will examine processing and administrative issues faced by wounded, injured, and ill Servicemembers and practical and legal issues confronted by the command. Students will explore critical legal issues that arise from the point of injury through leaving the service and beyond. Students will study advanced estate planning concepts such as building an estate, planning for military retirement, and minimizing tax liability. Upon completion, the student will be better able to advise a commander charged with making recommendations and decisions related to wounded warriors, such as military justice case disposition and the type and characterization of discharge. Class topics range from the Disability Evaluation System (DES), command responsibility for wounded warriors, the interrelation of the IDES and adverse administrative and judicial actions, Veteran eligibility and benefits from the Department of Veteran Affairs, the VA Compensation Claim process, and the Veteran's various appeal options. Students will have the option of applying for admission to practice before the United States Court of Appeals for Veterans Claims (USCAVC). Students may have the opportunity to attend oral argument, tour the USCAVC, and/or meet with one or more of the court judges. For those students interested in being admitted, you must submit your application online along with a certificate of good standing from the highest court of any state to which you are admitted (not the state bar) no later than 1 January. Grades will be based on one 3-5 page written submission, an individual presentation, and class participation.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS.**

**PROFESSOR: MAJ RIGGS, MAJ MANGAN, AND GUEST SPEAKERS**

# **CRIMINAL LAW DEPARTMENT (ADC)**

## **3rd Quarter Elective Offerings**

### **RIGHTS OF THE ACCUSED - (EC15) - 1 Credit**

This elective examines the rights afforded to the accused under the Constitution, the Uniform Code of Military Justice, and the Rules for Courts-Martial. Topics covered includes: the privilege against self-incrimination, search and seizure rights, the right to counsel, confrontation, discovery, and other rights afforded to an accused. Grades are based on classroom participation and a 5-7 page thought paper. Classes will be conducted in a seminar format. Although this elective is structured from a defense perspective, it is designed for both experienced advocates seeking a more advanced understanding as well as those seeking a refresher in this area of the law. The readings will consist of relevant cases and law review articles on topic.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS.**

**PROFESSORS: MAJ BESKE AND MAJ WALTERS**

### **ADVANCED CRIMES AND DEFENSES - (EC16) - 1 Credit**

This elective focuses on crimes and defenses commonly faced by military justice practitioners. Designed with the Chief of Justice (or service equivalent) or Senior Defense Counsel in mind, students will discuss current trends and new developments in common military crimes and defenses, and develop/analyze charging and defense philosophies. This elective will assist practitioners with crafting a case theory, drafting appropriate charges, identifying and formulating defenses and potential motions, as well as assessing and mentoring these skills in subordinates. This elective is broadly structured for both experienced advocates seeking a more advanced understanding as well as those seeking a refresher in this area of the law. Students should gain an understanding of not only *how* to prepare charges and formulate defenses, but also be able to explain *why* they decided on a particular approach. Class is a seminar format. Grades are based on a written submission and participation in class discussions and in-class case briefings.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS.**

**PROFESSORS: MAJ NICHOLSON AND LTC BROUSSARD**

### **HISTORY AND EVOLUTION OF VICTIMS' RIGHTS - (EC19) - 1 Credit**

This elective is intended to assist those with follow-on assignments in military justice, or students who simply wish to broaden their understanding of victims' rights in American criminal jurisprudence. Students will understand the origins of victims' rights, from the historical pre-18<sup>th</sup> century victim-driven prosecution system, through the rise of public prosecutors. Historically, this shift from private to public-efficiency based prosecutions has corresponded with the degradation of victims' rights. Students will be able to identify the major stages of the modern victims' rights movement, and analyze the impacts of developing victims' rights on civilian and military criminal prosecutions. The course will be focused on reviewing case law and scholarly works. Grades are based on one short academic paper, a class presentation, and class participation.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS.**

**PROFESSORS: MAJ MIKKELSEN AND MAJ HARTSFIELD**

### **ADVANCED TOPICS IN PROFESSIONAL RESPONSIBILITY - (EC18) - 1 Credit**

This elective is intended to assist those with follow-on assignments in military justice as supervisory counsel, or students who simply wish to broaden their understanding of professional responsibility. Students will be better prepared to understand nuanced and specific issues related to professional responsibility that can arise in military practice, both as practitioners and supervisors. The wide range of topics will lend itself to preparing students for any follow on assignment, but will be especially useful for leaders in OSJAs and TDS. Expected topics include PR implications of technology and social media, prosecutorial discretion, conflict of interest in the OSJA, Commanders and the Army as clients, and representation of children. Grades are based on one short academic paper, a class presentation of the paper, and class participation.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS.**

**PROFESSORS: MAJ MATHEW**

## **4<sup>th</sup> Quarter Elective Offerings**

### **CRITICAL ANALYSIS OF THE MILITARY JUSTICE SYSTEM (EC20) – 1 Credit**

For over 50 years, the Uniform Code of Military Justice has been cobbled together through statute and case law into our present military criminal code. Some portions of the Code have remained virtually unchanged while others have been repealed or amended several times. The Military Justice Act of 2016 brought substantial changes to the code, while some of the Military Justice Review Group's (MJRG) recommendations were not implemented (like preserving Article 66 as originally written). Congress continues to contemplate further fundamental changes to the military justice system, such as the Military Justice Improvement Act. If given the opportunity, would you rewrite the UCMJ? If so, why and how? This elective takes a deeper look at the UCMJ and critically analyzes both its history and present application. Students will analyze the history of the military justice system and the process through which changes to the UCMJ are made; evaluate the status and utility of the current Articles; and propose possible changes to the UCMJ. Classes are conducted in a seminar format with some

guest speakers. Grades are based on classroom participation, an oral presentation project, and two short (1-2 page written submissions) papers.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS.**

**PROFESSORS: MAJ DRAY AND MAJ MORMAN**

### **DIGITAL EVIDENCE FROM THEORY TO PRACTICE - (EC10) - 1 Credit**

Digital evidence can impact nearly every type of court-martial. With rapid changes in technology, courts and statutes often cannot stay “current,” making litigating digital evidence issues difficult. This course explores the legal theories behind using digital evidence for both trial and defense counsel. The first half of the course will focus on applying traditional Fourth Amendment doctrines in the digital world, with a specific concentration on probable cause, reasonable expectation of privacy, plain view, and consent. It will apply these doctrines to all types of digital evidence on any device where data can be stored. The second half of the course will challenge students to put into practice and apply the doctrinal theories learned through student led presentations and exercises. The course is targeted for both trial and defense counsel. Grading is based on class participation (performance during class exercises) and the student’s choice of a presentation or 5-7 page thought paper.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS.**

**PROFESSORS: MAJ BESKE AND MAJ MORMAN**

### **ADVANCED EVIDENCE ANALYSIS - (EC14) - 1 Credit**

This elective analyzes the Military Rules of Evidence and law of Confrontation and their application to modern court-martial practice. Students will examine issues regarding the limitations on relevancy, impeachment, hearsay, privilege, character evidence and expert testimony. This elective is structured for those seeking a refresher in the basics of evidence. Each class will include a review of the core rules followed by a more in-depth application to recent developments of those rules in military justice practice. Grades are based on classroom participation, one short discussion paper or training program based on topics provided by the professor, and an online discussion forum.

**PROFESSORS: LTCOL SEGRAVES AND MAJ NICHOLSON**

### **TRIAL ADVOCACY: BUILDING TRIAL SKILLS – (EC22) – 1 Credit**

This elective is designed for the special victim prosecutor, senior defense counsel, chief of justice, or any student interested in enhancing their advocacy skills or the skills of those they supervise. The course will focus on creating training modules for TC/DC to build and enhance advocacy skills. Students will develop and present a teaching module to the class. Students will be critiqued on their presentations and will offer peer critiques using a standardized method intended to identify issues and offer suggestions for a more persuasive and succinct presentation. Grades are based on class participation and presentation of a teaching module. Class participation will be accounted for through in-class discussion and UVA mock trial and moot court coaching.

**NOTE: ENROLLMENT LIMITED TO 28 STUDENTS**

**PROFESSORS: MAJ MATHEW AND MAJ MIKKELSEN**

### **PREPARING JUSTICE LEADERS – (EC25) - 1 Credit**

“Designed for those whose follow-on assignment will be as a Brigade/Group Judge Advocate, Chief of Justice, or Senior Defense Counsel. It is also relevant to rising Special Victim Prosecutors. This course is a blend of lecture, experiential learning, and group discussions about various issues students are likely to encounter as military justice leaders. Each week, students receive professional development-based instruction on relevant substantive and procedural topics. Students will also learn basic leadership and management techniques for operating a brigade legal office or criminal law office, as well as develop and receive training materials for use in their follow-on assignment. Grades are based on individual presentations, two short writing submissions, and class participation.

**NOTE: ENROLLMENT IS LIMITED TO 21 STUDENTS. (Priority is given to those going into the above positions regardless of branch and filled on a first-come basis.)**

**PROFESSORS: LTC LISTER AND MAJ WALTERS**

### **SJA DEVELOPMENT FOR MARINES (EA19) – 1 Credit**

Designed to prepare students to serve as Staff Judge Advocates (SJA) and Deputy SJAs in the USMC. Students will assess and discuss issues that SJAs often encounter in the areas of administrative and civil law. This elective builds on the material presented in the plenary courses and provides students an advanced understanding of these areas of the law. Students will focus on spotting issues, identifying proper authorities, using best practices, drafting responsive documents, as well as assessing and mentoring these skills in subordinates. Through the use of legal research, students will be required to draft short legal memoranda and information papers in order to respond to legal issues presented. Grades will be based upon class participation and 1-3 page writing assignments.

**NOTE: ENROLLMENT IS LIMITED TO MARINE CORPS STUDENTS. DUE TO THE BREADTH OF THE MATERIAL COVERED, THIS ELECTIVE **DOES** COUNT TOWARD ALL CONCENTRATION AREAS.**

**PROFESSOR: LTCOL SEGRAVES AND GUEST SPEAKERS**



# NATIONAL SECURITY LAW DEPARTMENT (ADN)

## 3rd Quarter Elective Offerings

### **WAR CRIMES AND ATROCITY LAW– (EN39) – 1 Credit**

This course combines National Security Law and Criminal Law. It will delve further into the study and development of modern war crimes jurisprudence and prosecutions, while covering topics including torture, command responsibility, international and domestic jurisdiction, jus in bello violations, and study issues involving the International Criminal Court. Students should expect some guest speakers (at least two classes will feature the Regimental Historian, Mr. Borch, on War Crimes and Military Commissions). Evaluations will be based on one written assignment aimed towards providing students with an opportunity to pursue publication, one 5-10 minute oral presentation, and class participation.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS WHO ARE UNITED STATES CITIZENS. THIS ELECTIVE DOES COUNT AS A CREDIT FOR BOTH THE NATIONAL SECURITY LAW AND CRIMINAL LAW CONCENTRATIONS.**

**PROFESSORS: LTC MAURER AND MAJ MORMAN**

### **INTELLIGENCE LAW – (EN60) – 1 Credit**

This course focuses on the legal and policy issues that arise during the conduct of intelligence activities. Topics to be addressed will include: sources of law and policy for intelligence activities; oversight and reporting requirements; distinctions between intelligence and operational activities; covert action and traditional military activities; issues relative to specific intelligence disciplines (HUMINT, SIGINT, and OSINT); and current issues in intelligence law. Students will be evaluated on class participation and two response papers.

**NOTE: STUDENTS ENROLLED IN THIS ELECTIVE MUST HAVE A VALID SECRET CLEARANCE (OR HIGHER). THIS ELECTIVE IS NOT OPEN TO INTERNATIONAL STUDENTS. ENROLLMENT IS LIMITED TO 30 STUDENTS.**

**PROFESSORS: MAJ MACDONALD & MAJ MEDICI**

### **CYBER AND INFORMATION OPERATIONS I (EN40) – 1 Credit**

This course is an introduction to cyberspace operations (CO), information operations (IO), and the evolving legal and policy issues raised by such operations. Topics to be addressed will include: CO and IO history, development, and examples; legal and policy issues involved in operations; and the application of the law of armed conflict (LOAC) to CO and IO. The course will begin with an introduction to the technology behind cyber operations and an overview of the evolution of cyber and information threats and capabilities. Students will be evaluated on class participation, one response papers, and a practical exercise.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS WHO ARE UNITED STATES CITIZENS. ENROLLMENT IS LIMITED TO 30 STUDENTS.**

**PROFESSORS: LTC WEST AND MAJ MEDICI**

### **LAW OF SEA, AIR AND SPACE OPERATIONS - (EN28) - 1 Credit**

Students will gain a basic understanding of the international rules that govern the use of air, space, and the sea in military operations. Students will understand the way in which States have dealt with the problems of sovereignty, jurisdiction over vessels and aircraft, and property rights in common spaces. Extensive study will be made of the 1982 Law of the Sea Convention, the 1944 Convention on International Civil Aviation (Chicago Convention), the 1967 Outer Space Treaty, and other treaties and policies affecting the military uses of air, space, and sea domains. Finally, students will focus on some of the current issues in LOSAS, including Freedom of Navigation Operations, Piracy and Maritime Interception Operations, Air Defense Identification Zones, and Militarization and Weaponization of outer space. Students will be evaluated by class participation, one oral presentation (7-10 minutes), and one 3-5 page paper.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS WHO ARE UNITED STATES CITIZENS.**

**PROFESSORS: CAPT GIBEL AND MAJ REITZ**

### **ADVANCED TOPICS IN THE LAW OF ARMED CONFLICT (EN29) - 1 Credit**

This elective provides an in-depth study of the law of armed conflict, expanding upon foundations laid during plenary instruction. Discussions and readings will consider and compare U.S. and international perspectives on the Law of Armed Conflict (LOAC), including views of U.S. allies, the United Nations, the International Committee of the Red Cross, and Non-Governmental Organizations. Topics include sources of contemporary LOAC, in-depth consideration of the principles of LOAC and targeting, issues associated with battlefield status, regulation of internal armed conflicts, the interface between the LOAC and other areas of law, enforcement mechanisms, and current emergent topics facing today's national security law practitioners. Students are evaluated on class participation and two (2) short response papers (3-5 pages each).

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS WHO ARE U.S. CITIZENS.**

**PROFESSORS: MAJ MACDONALD AND MAJ MCCORMICK**

### **CURRENT TOPICS IN NATIONAL SECURITY LAW (EN24) - 1 credit**

The ever-changing military events in Ukraine, Africa, the Middle East, and the Korean peninsula and the threats these situations pose has mobilized the international community from both an operational and intellectual perspective. Using these types of incidents as a backdrop, students will gain a greater understanding of the worldwide legal implications of international and national security law and be encouraged to challenge the interpretation and application of those laws. Special emphasis and opportunities will be given to the study and examination of the Army's development of multi-domain operations (MDO). In addition, the course will enable students to participate in academic discussion related to current events and be provided the opportunity to analyze developing issues in the international legal community. Students will be evaluated on class participation, an individual in-class presentation on a current topic in national security law, and simulated exercise participation.

**NOTE: ENROLLMENT IS LIMITED TO 25 STUDENTS.**

**PROFESSORS: MAJ MCDOWELL AND MAJ MCCORMICK**

## 4<sup>th</sup> Quarter Elective Offerings

### **HISTORY OF WARFARE - (EN25) TUESDAY- 1 Credit**

Students will understand the development of modern military theory. Using case studies, students will analyze the conduct of certain battles and campaigns, and conduct battle briefs focusing on a predetermined principle of war. Students will be evaluated based on one battle brief and class participation.

**NOTE: ENROLLMENT IS LIMITED TO 18 STUDENTS.**

**PROFESSOR: MR. BORCH**

### **HISTORY OF WARFARE - (EN31) THURSDAY- 1 Credit**

Students will understand the development of modern military theory. Using case studies, students will analyze the conduct of certain battles and campaigns, and conduct battle briefs focusing on a predetermined principle of war. Students will be evaluated based on one battle brief and class participation.

**NOTE: ENROLLMENT IS LIMITED TO 18 STUDENTS.**

**PROFESSOR: MR. BORCH**

### **CHINA: STRATEGY AND LAW - (EN27) - 1 Credit.**

The Secretary of Defense recently stated that China is the United States' top strategic competitor and that the DoD's renewed focus on China is the "primary lens" through which the DoD advances every line of effort under the National Defense Strategy. This course will examine how China engages in strategic competition with the United States by analyzing the Chinese legal framework, Chinese government and military strategy, South China Sea and maritime disputes, Taiwan and other territorial disputes, unrestricted warfare, and Chinese civil-military fusion. The course will cover the historic, strategic, and resulting policy underpinnings of the Chinese Government's interpretation of international law as well as how China uses international law as 'lawfare.' Students are evaluated on class participation, one oral presentation (5-10 minutes), and one short paper (3-5 pages). Although not required, Law of Sea, Air, and Space Operations is recommended as a prerequisite prior to enrolling in this class.

**NOTE: ENROLLMENT IS LIMITED TO 30 STUDENTS.**

**PROFESSORS: CAPT GIBEL AND MAJ REITZ**

### **INTERNATIONAL HUMAN RIGHTS – (EN64) - 1 Credit**

This elective covers international human rights law, policy, and processes with an emphasis on how human rights may affect military operations. Students will explore the development of human rights law after World War II, to include resulting treaties both of international and regional application. Students will gain familiarity with the functions of various oversight and enforcement bodies, within and outside the United Nations. Students will examine the U.S.' position on international human rights law, specifically as it relates to the emerging attempt by members of the international community to broaden the application of human rights law in armed conflict. Students will also study the human rights constraints under which our allies and host nations operate, such as

the restrictions imposed by the European Court of Human Rights on detention operations. Finally, students will study human rights in U.S. domestic law, such as the requirement to screen foreign security forces prior to conducting training. Evaluations will be based on two short (2-page) response papers, two 5-10 minute oral presentations, and class participation.

**NOTE: THIS ELECTIVE IS OPEN TO UVA STUDENTS WHO ARE UNITED STATES CITIZENS.**

**PROFESSORS: LTC MAURER AND MAJ MCDOWELL**

### **CYBER AND INFORMATION OPERATIONS II – (EN41) – 1 Credit**

This course will build on the concepts and issues covered in Cyber and Information Operations I by applying law, policy, and an analytical framework to current cyberspace operations (CO) and information operations (IO). Additionally, the course will cover interagency issues, approval authorities, and best practices for providing legal advice in these subject areas. The class will include guest speakers from relevant organizations, such as USCYBERCOM and ARCYBER. Students will be evaluated on class participation, an in-class presentation, and a corresponding information paper.

**NOTE: STUDENTS ENROLLED IN THIS ELECTIVE MUST HAVE A VALID SECRET CLEARANCE (OR HIGHER). THIS ELECTIVE IS NOT OPEN TO INTERNATIONAL STUDENTS. CYBER AND INFORMATION OPERATIONS I IS A PREREQUISITE TO ENROLL. ENROLLMENT IS LIMITED TO 18 STUDENTS.**

**PROFESSORS: LTC WEST AND MAJ MEDICI**

### **ADVANCED CONTINGENCY OPERATION FUNDING (EK07) - 1 credit**

This elective combines National Security Law and Fiscal Law. Using a blend of assigned readings and real world case studies, students will examine the flow of mission and funding authority through both the constitutional framework for appropriated funds and the constitutional framework for national security. Procedural topics will include fiscal support to the operations process, the role of the technical chain from task force to DoD OGC, and identifying fiscal issues in cells and working groups. Substantive topics will include fiscal challenges arising from by-with-through operations, burden sharing, intelligence operations, security cooperation, “otherwise prohibited by law” (e.g. CSPA, TVPA, etc.), and surrogate forces. The format for class will be lectures and instructor-led discussions. Successful completion of this course will be based on a written 4-6 page paper, and in-class participation.

**NOTE: ONE SECTION OFFERED, CLASS MEETS ONCE A WEEK FOR TWO HOURS EACH SESSION. THIS ELECTIVE DOES COUNT AS A CREDIT FOR EITHER NATIONAL SECURITY LAW OR CONTRACT & FISCAL LAW CONCENTRATIONS.**

**PROFESSORS: MAJ MACDONALD & ADK**

## **ADVANCED NATIONAL SECURITY LAW - (EN67) - 1 Credit.**

National security law is one of the fastest growing areas of legal inquiry. Using assigned readings students will examine a host of historical and contemporary issues surrounding the practice of law in this field. The elective topics will include the meaning of national security and the national security process; a deep dive into the constitutional framework for national security and War Powers; domestic and international law as it pertains to military operations, the use of military force, and the role of the national security lawyer. Students will be evaluated based on two short response memoranda relevant to weekly reading assignments, performance in a short in-class debate, and overall class participation.

**NOTE: ENROLLMENT IS LIMITED TO 30 STUDENTS.**

**PROFESSORS: CAPT GIBEL & LTC MAURER**

# **CONTRACT & FISCAL LAW DEPARTMENT (ADK)**

## **3<sup>rd</sup> Quarter Elective Offerings**

### **ADVANCED TOPICS IN GARRISON FUNDING (EK06) - 1 credit**

This elective combines Administrative Law and Fiscal Law. Using a blend of assigned readings and real-world case studies, students will examine appropriated funds issues arising in the Garrison Administrative Law context. Substantive topics will include funding conferences, MILAIR, and official courtesies, and a survey of common ADA violations. Procedural topics will include conducting 15-6 investigations into suspected ADA violations; navigating funding gaps and continuing resolutions; and providing support to garrison boards, working groups, and cells. The format for class will be lectures and instructor-led discussions. Successful completion of this course will be based on a written 4-6 page paper and in-class participation.

**NOTE: ONE SECTION OFFERED, CLASS MEETS ONCE A WEEK FOR TWO HOURS EACH SESSION. THIS ELECTIVE DOES COUNT AS A CREDIT FOR EITHER ADMINISTRATIVE LAW OR CONTRACT & FISCAL LAW CONCENTRATIONS.**

**PROFESSORS: MAJ GODFREY AND MAJ RETLAND**

### **ADVANCED ACQUISITIONS I – Requirements Planning and Development - (EK01) - 1 credit**

This elective will explore a broad range of issues related to requirements development and defining needs frequently encountered by practitioners which fall beyond the depth and scope of subjects covered during the plenary instruction. Students will learn how to help their commands successfully navigate the early stages of contracting for goods and services in order to set their units up for success in the remaining phases of acquisition (covered in Advanced Acqs II & III). Instruction is directed at attorneys providing organic legal support (BJA/CJA/Admin Law Attorneys) and will prepare these attorneys to advise their chains of command through the acquisition preparation process. Instruction focuses on how an attorney supports an organization planning for the acquisition process and developing the documents necessary to provide an "acquisition ready packet." Students will develop an understanding of all required documents in the needs defining process and associated legal concerns.

**NOTE: ONE SECTION OFFERED, CLASS MEETS ONCE A WEEK FOR TWO HOURS.**

**PROFESSORS: LTC SCROGHAM & MAJ BRYAN**

### **ADVANCED ACQUISITIONS II – CONTRACT FORMATION - (EK02) - 1 credit**

This elective will examine a broad range of contract formation issues frequently encountered by contract law practitioners, which are beyond the depth and scope of subjects covered during the core instruction. The course will explore in greater detail certain core contract formation topics (e.g., competition requirements, contracting methods, bid protests, contract types and obligations, contract structure and pricing, socio-economic policies, and source selection. Successful completion will be based on four group practical exercises, an individual case brief, class participation, and a final three-page white paper.

**NOTE: ONE SECTION OFFERED, CLASS MEETS ONCE A WEEK FOR TWO HOURS EACH SESSION.**

**PROFESSORS: LTC HONG & MAJ PETERSON**

### **ADVANCED ACQUISITIONS III – CONTRACT ADMINISTRATION - (EK03) - 1 credit**

This elective will examine a broad range of contract administration issues frequently encountered by contract law practitioners, which are beyond the depth and scope of subjects covered during the core instruction. The course will explore in greater detail certain core contract administration topics (e.g., contract disputes, advanced terminations, contract pricing, inspection/acceptance/warranty, and contract changes). Successful completion will be based on two group practical exercises, an individual case brief, class participation, and a three-page white paper.

**NOTES: ONE SECTION OFFERED, CLASS MEETS ONCE A WEEK FOR TWO HOURS EACH SESSION.**

**PROFESSOR: MAJ VENIOUS & MAJ CHANRASMI**

### **CONTRACT LITIGATION I - (EK05) - 2 credits**

This elective will focus on litigation before the Government Accountability Office and Armed Services Board of Contract Appeals using actual case files. The students will receive the case files, conduct legal research and draft the Agency's motions and responses. Successful completion will be based on the four written practical assignments, and active class participation.

**NOTE: This 2 credit elective meets in both the 3<sup>rd</sup> and 4<sup>th</sup> Quarter once a week for two hours. Enrollment in this elective is limited to 15 students. Students will receive a 1 Credit grade at the end of the 3<sup>rd</sup> Quarter based on performance in the 3<sup>rd</sup> Quarter. Students will then receive another 1 Credit grade at the end of the 4<sup>th</sup> Quarter. Graded events in the 3<sup>rd</sup> Quarter will not impact the 4<sup>th</sup> Quarter grade.**

**PROFESSORS: MAJ VENIOUS & MAJ PETERSON**

## **4<sup>th</sup> Elective Quarter Offerings**

### **ADVANCED ACQUISITIONS IV – Emerging and Advanced Topics In Contracting - (EK41) - 1 credit**

This elective will explore a broad range of emerging and advanced federal acquisition topics ranging from engaging with industry, the acquisition of modern technology, supply chain security, and responding to threats from near-peer adversaries. The format for class will be lectures and instructor-led discussions. Successful completion of this course will be based on a written 4-6 page paper and in-class participation.

**NOTE: ONE SECTION OFFERED, CLASS MEETS ONCE A WEEK FOR TWO HOURS.**

**PROFESSORS: MAJ BRYAN AND MAJ CHANRASMI**

### **ADVANCED CONTINGENCY OPERATION FUNDING – (EK07) - 1 credit**

This elective combines National Security Law and Fiscal Law. Using a blend of assigned readings and real world case studies, students will examine the flow of mission and funding authority through both the constitutional framework for appropriated funds and the constitutional framework for national security. Procedural topics will include fiscal support to the operations process, the role of the technical chain from task force to DoD OGC, and identifying fiscal issues in cells and working groups. Substantive topics will include fiscal challenges arising from by-with-through operations, burden sharing, intelligence operations, security cooperation, “otherwise prohibited by law” (e.g. CSPA, TVPA, etc.), and surrogate forces. The format for class will be lectures and instructor-led discussions. Successful completion of this course will be based on a written 4-6 page paper, and in-class participation.

**NOTE: ONE SECTION OFFERED, CLASS MEETS ONCE A WEEK FOR TWO HOURS EACH SESSION. THIS ELECTIVE DOES COUNT AS A CREDIT FOR EITHER NATIONAL SECURITY LAW OR CONTRACT & FISCAL LAW CONCENTRATIONS.**

**PROFESSORS: MAJ GODFREY (ADK) AND MAJ MACDONALD (ADN)**

### **CONTRACT LITIGATION II - (EK05) - 1 credits**

**Prerequisite: Students MUST enroll in and complete Contract Litigation I in the 3d Quarter to enroll in this elective.**

This elective will focus on litigation before the Government Accountability Office and Armed Services Board of Contract Appeals using actual case files. The students will receive the case files, conduct legal research and draft the Agency’s motions and responses. Successful completion will be based on the four written practical assignments, and active class participation.

**NOTE: This 2 credit elective meets in both the 3<sup>rd</sup> and 4<sup>th</sup> Quarter once a week for two hours. Enrollment in this elective is limited to 15 students. Students will receive a 1 Credit grade at the end of the 3<sup>rd</sup> Quarter based on performance in the 3<sup>rd</sup> Quarter. Students will then receive another 1 Credit grade at the end of the 4<sup>th</sup> Quarter. Graded events in the 3<sup>rd</sup> Quarter will not impact the 4<sup>th</sup> Quarter grade.**

**PROFESSORS: MAJ VENIOUS & MAJ PETERSON**